

CLOSED

**U.S. District Court [LIVE]  
Western District of Texas (San Antonio)  
CIVIL DOCKET FOR CASE #: 5:12-cv-00362-OLG**

Negley v. Federal Bureau of Investigation  
Assigned to: Judge Orlando L. Garcia  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/18/2012  
Date Terminated: 07/31/2013  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****James Lutcher Negley**

represented by **John Finbar Carroll**  
Attorney at Law  
111 West Olmos Drive  
San Antonio, TX 78212  
(210) 829-7183  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant****Federal Bureau of Investigation**

represented by **Robert Shaw-Meadow**  
U.S. Attorney's Office  
601 N.W. Loop 410  
Suite 600  
San Antonio, TX 78216  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/18/2012	<u>1</u>	COMPLAINT <i>for Relief under the Freedom of Information Act</i> ( Filing fee \$ 350 receipt number 0542-4503509), filed by James Lutcher Negley.(Carroll, John) (Entered: 04/18/2012)
04/18/2012	<u>2</u>	REQUEST FOR ISSUANCE OF SUMMONS by James Lutcher Negley. (Carroll, John) (Entered: 04/18/2012)
04/18/2012		Case Assigned to Judge Orlando L. Garcia. CM WILL NOW REFLECT THE JUDGE INITIALS AS PART OF THE CASE NUMBER. PLEASE APPEND THESE JUDGE INITIALS TO THE CASE NUMBER ON EACH DOCUMENT THAT YOU FILE IN THIS CASE. (rg) (Entered: 04/19/2012)
04/18/2012		If ordered by the court, all referrals will be assigned to Magistrate Judge Primomo. (rg) (Entered: 04/19/2012)
04/18/2012		Case Assigned to the Honorable Orlando L. Garcia. (rg) (Entered: 04/19/2012)
04/19/2012	<u>3</u>	DEFICIENCY NOTICE:to attorney John F. Carroll – A JS44 Civil Cover Sheet must accompany a new Complaint. Please fill out the JS44 and be sure to sign and efile it. re <u>1</u> Complaint. (rg) (Entered: 04/19/2012)
04/19/2012	<u>4</u>	JS44 (Civil Cover Sheet) submitted by James Lutcher Negley. (Carroll, John) (Entered: 04/19/2012)

04/19/2012	<u>5</u>	Summons Issued as to Federal Bureau of Investigation. (dtg) (Entered: 04/19/2012)
04/20/2012	<u>6</u>	REQUEST FOR ISSUANCE OF SUMMONS by James Lutch Negley. <i>Request to Reissue Summons</i> (Carroll, John) (Entered: 04/20/2012)
04/20/2012	<u>7</u>	Summons Reissued as to Federal Bureau of Investigation. (dtg) (Entered: 04/20/2012)
05/07/2012	<u>8</u>	SUMMONS Returned Executed by James Lutch Negley. Federal Bureau of Investigation served on 4/20/2012, answer due 6/19/2012. <i>Service on United States Attorney for Western District of Texas</i> (Carroll, John) (Entered: 05/07/2012)
05/07/2012	<u>9</u>	SUMMONS Returned Executed by James Lutch Negley. Federal Bureau of Investigation served on 4/25/2012, answer due 6/25/2012. <i>Service on United States Attorney General</i> (Carroll, John) (Entered: 05/07/2012)
05/14/2012	<u>10</u>	SUMMONS Returned Executed by James Lutch Negley. Federal Bureau of Investigation served on 4/26/2012, answer due 6/25/2012. (Carroll, John) (Entered: 05/14/2012)
05/23/2012	<u>11</u>	NOTICE of Attorney Vacation by Federal Bureau of Investigation (Shaw-Meadow, Robert) (Entered: 05/23/2012)
05/23/2012	<u>12</u>	U.S. Department of Justice ANSWER to <u>1</u> Complaint by Federal Bureau of Investigation.(Shaw-Meadow, Robert) (Entered: 05/23/2012)
05/30/2012	<u>13</u>	Order and Advisory – ORDERED that the Plaintiff(s) confer with the Defendant(s) to submit a proposed scheduling order for the Court's consideration within forty-five (45) days of the filing of this Order. Signed by Judge Orlando L. Garcia. (rg) (Entered: 05/30/2012)
06/07/2012	<u>14</u>	NON-CONSENT to Trial by US Magistrate Judge by James Lutch Negley. (Carroll, John) (Entered: 06/07/2012)
06/11/2012	<u>15</u>	CONSENT to Trial by US Magistrate Judge by Federal Bureau of Investigation. (Shaw-Meadow, Robert) (Entered: 06/11/2012)
07/13/2012	<u>16</u>	SCHEDULING ORDER (ADR Mediation Completed by 1/22/2013., ADR Report Deadline due by 9/12/2012., Amended Pleadings due by 9/27/2012., Discovery due by 12/14/2012., Joinder of Parties due by 9/27/2012., Dispositive Motions due by 12/31/2012., Bench Trial set for 4/22/2013 09:30 AM before Judge Orlando L. Garcia., Pretrial Conference set for 4/10/2013 10:30 AM before Judge Orlando L. Garcia.) Signed by Judge Orlando L. Garcia. (rg) (Entered: 07/13/2012)
07/17/2012	<u>17</u>	Unopposed MOTION to Extend Scheduling Order Deadlines by Federal Bureau of Investigation. (Shaw-Meadow, Robert) (Entered: 07/17/2012)
08/02/2012	<u>18</u>	RESPONSE to Motion, filed by James Lutch Negley, re <u>17</u> Unopposed MOTION to Extend Scheduling Order Deadlines filed by Defendant Federal Bureau of Investigation (Carroll, John) (Entered: 08/02/2012)
09/12/2012	<u>19</u>	Opposed MOTION for Protective Order by Federal Bureau of Investigation. (Attachments: # <u>1</u> Exhibit Requests for Admission and Requests for Production, # <u>2</u> Exhibit FOIA request letter, # <u>3</u> Exhibit letters, # <u>4</u> Exhibit 9-10-12 Letter, # <u>5</u> Exhibit June 2012 letters, # <u>6</u> Exhibit September 12 letter)(Shaw-Meadow, Robert) (Entered: 09/12/2012)
09/13/2012	<u>20</u>	ADR Report Filed – NON-CONSENT to Alternate Dispute Resolution (ADR) by Federal Bureau of Investigation(Shaw-Meadow, Robert) (Entered: 09/13/2012)
09/13/2012	<u>21</u>	ADR Report Filed – CONSENT to Alternate Dispute Resolution (ADR) by James Lutch Negley(Carroll, John) (Entered: 09/13/2012)
09/24/2012	<u>22</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>19</u> Opposed MOTION for Protective Order by James Lutch Negley. (Carroll, John) (Entered: 09/24/2012)
09/26/2012	<u>23</u>	AMENDED SCHEDULING ORDER – GRANTING <u>17</u> Defendant's Unopposed Motion to Extend Scheduling Order deadlines. Non-Jury Trial reset for 7/22/2013 09:30 AM before Judge Orlando L. Garcia. Pretrial Conference reset for 7/10/2013

		10:30 AM before Judge Orlando L. Garcia. Dispositive Motions due by 4/20/2013. The other deadlines set forth in the Court's earlier Scheduling Order remain in force. Signed by Judge Orlando L. Garcia. (kh) (Entered: 09/26/2012)
09/27/2012	<u>24</u>	ORDER GRANTING <u>22</u> Motion for Extension of Time to File Response/Reply on or before October 5, 2012. Signed by Judge Orlando L. Garcia. (rg) (Entered: 09/28/2012)
10/05/2012	<u>25</u>	RESPONSE to Motion, filed by James Lutch Negley, re <u>19</u> Opposed MOTION for Protective Order filed by Defendant Federal Bureau of Investigation (Attachments: # <u>1</u> Exhibit Exhibit A Letter, # <u>2</u> Proposed Order Order)(Carroll, John) (Entered: 10/05/2012)
10/12/2012	<u>26</u>	REPLY to Response to Motion, filed by Federal Bureau of Investigation, re <u>19</u> Opposed MOTION for Protective Order filed by Defendant Federal Bureau of Investigation (Shaw-Meadow, Robert) (Entered: 10/12/2012)
10/17/2012	<u>27</u>	Opposed MOTION for Leave to File Sur Reply to Defendant's Reply to Plaintiff's Response to Motion for Protective Order by James Lutch Negley. (Attachments: # <u>1</u> Exhibit Exhibit A-Sur Reply to Reply to Response to Motion for Protective Order, # <u>2</u> Proposed Order)(Carroll, John) (Entered: 10/17/2012)
10/17/2012	<u>28</u>	Response in Opposition to Motion, filed by Federal Bureau of Investigation, re <u>27</u> Opposed MOTION for Leave to File Sur Reply to Defendant's Reply to Plaintiff's Response to Motion for Protective Order filed by Plaintiff James Lutch Negley (Shaw-Meadow, Robert) (Entered: 10/17/2012)
12/04/2012		Text Order GRANTING <u>27</u> Opposed Motion for Leave to File to file Sur Reply entered by Judge Orlando L. Garcia. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ju) (Entered: 12/04/2012)
12/04/2012	<u>29</u>	SUR-REPLY to <u>26</u> Reply to Response to Motion by James Lutch Negley. (rg) (Entered: 12/04/2012)
01/22/2013	<u>30</u>	Unopposed MOTION to be Excused from ADR/Mediation by Federal Bureau of Investigation. (Shaw-Meadow, Robert) (Entered: 01/22/2013)
01/31/2013		Text Order GRANTING <u>30</u> Unopposed Motion to be Excused from ADR/Mediation entered by Judge Orlando L. Garcia. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ju) (Entered: 01/31/2013)
02/14/2013	<u>31</u>	ORDER GRANTING <u>19</u> Motion for Protective Order. Signed by Judge Orlando L. Garcia. (rg) (Entered: 02/14/2013)
02/28/2013	<u>32</u>	NOTICE of Filing Attorney Vacation Letter by Federal Bureau of Investigation (Shaw-Meadow, Robert) (Entered: 02/28/2013)
04/10/2013	<u>33</u>	MOTION for Reconsideration re <u>31</u> Order on Motion for Protective Order by James Lutch Negley. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Proposed Order)(Carroll, John) (Entered: 04/10/2013)
04/22/2013	<u>34</u>	Unopposed MOTION to Extend Scheduling Order Deadlines <i>by 14-days</i> by Federal Bureau of Investigation. (Shaw-Meadow, Robert) (Entered: 04/22/2013)
05/03/2013	<u>35</u>	ORDER GRANTING <u>34</u> Motion to Extend Response. Signed by Judge Orlando L. Garcia. (rg) (Entered: 05/03/2013)
05/06/2013	<u>36</u>	Unopposed MOTION to Extend Scheduling Order Deadlines <i>to Extend Settings for Pre-trial Conference and Trial by 30 days</i> by Federal Bureau of Investigation. (Shaw-Meadow, Robert) (Entered: 05/06/2013)
05/06/2013	<u>37</u>	Response in Opposition to Motion, filed by Federal Bureau of Investigation, re <u>19</u> Opposed MOTION for Protective Order filed by Defendant Federal Bureau of Investigation, <u>33</u> MOTION for Reconsideration re <u>31</u> Order on Motion for Protective Order filed by Plaintiff James Lutch Negley (Attachments: # <u>1</u> Exhibit Boseker Decl., # <u>2</u> Exhibit Hardy Decl., # <u>3</u> Exhibit E-mails)(Shaw-Meadow, Robert) (Entered: 05/06/2013)

05/06/2013	<u>38</u>	MOTION for Summary Judgment by Federal Bureau of Investigation. (Shaw-Meadow, Robert) (Entered: 05/06/2013)
05/06/2013	<u>39</u>	APPENDIX to <u>38</u> MOTION for Summary Judgment by Federal Bureau of Investigation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E, # <u>9</u> Exhibit F, # <u>10</u> Exhibit G, # <u>11</u> Exhibit H, # <u>12</u> Exhibit I, # <u>13</u> Exhibit J, # <u>14</u> Exhibit K, # <u>15</u> Exhibit L, # <u>16</u> Exhibit M, # <u>17</u> Exhibit N, # <u>18</u> Exhibit O, # <u>19</u> Exhibit P, # <u>20</u> Exhibit Q, # <u>21</u> Exhibit R, # <u>22</u> Exhibit S, # <u>23</u> Exhibit T, # <u>24</u> Exhibit U, # <u>25</u> Exhibit U, # <u>26</u> Exhibit V, # <u>27</u> Exhibit 4, A, B, C, D)(rg) (Entered: 05/07/2013)
05/14/2013	<u>40</u>	REPLY to Response to Motion, filed by James Lutcher Negley, re <u>33</u> MOTION for Reconsideration re <u>31</u> Order on Motion for Protective Order filed by Plaintiff James Lutcher Negley (Attachments: # <u>1</u> Exhibit A-1, # <u>2</u> Exhibit A-2)(Carroll, John) (Entered: 05/14/2013)
05/15/2013	<u>41</u>	Joint MOTION for Extension of Time to File <i>and to Establish Briefing Schedule in Reference to Government's Motion for Summary Judgment</i> by Federal Bureau of Investigation, James Lutcher Negley. (Carroll, John) (Entered: 05/15/2013)
05/21/2013	<u>42</u>	Opposed MOTION for Leave to File Defendant's Sur-Response Regarding Plaintiff's Motion for Reconsideration by Federal Bureau of Investigation. (Attachments: # <u>1</u> Exhibit Sur-Response)(Shaw-Meadow, Robert) (Entered: 05/21/2013)
06/05/2013	<u>43</u>	Response in Opposition to Motion, filed by James Lutcher Negley, re <u>38</u> MOTION for Summary Judgment filed by Defendant Federal Bureau of Investigation (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Carroll, John) (Entered: 06/05/2013)
06/17/2013	<u>44</u>	REPLY in support of Motion, filed by Federal Bureau of Investigation, re <u>38</u> MOTION for Summary Judgment filed by Defendant Federal Bureau of Investigation (Attachments: # <u>1</u> Exhibit Letter of June 19, 2012)(Shaw-Meadow, Robert) Modified docket text on 6/18/2013 (rg). (Entered: 06/17/2013)
06/27/2013		Text Order GRANTING <u>36</u> Unopposed Motion to Extend Scheduling Order Deadlines entered by Judge Orlando L. Garcia. The current pretrial and trial dates are hereby vacated pending further order of the Court. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ju) (Entered: 06/27/2013)
07/23/2013	<u>45</u>	MOTION for Leave to File Sur Reply to Reply In Support of Defendant's Motion for Summary Judgment by James Lutcher Negley. (Carroll, John) (Entered: 07/23/2013)
07/23/2013	<u>46</u>	REPLY to Response to Motion, filed by James Lutcher Negley, re <u>38</u> MOTION for Summary Judgment filed by Defendant Federal Bureau of Investigation <i>Sur Reply to Reply in Support of Defendant's Motion for Summary Judgment, Subject to Motion for Leave to File</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Carroll, John) (Entered: 07/23/2013)
07/24/2013	<u>49</u>	ORDER GRANTING <u>45</u> Motion for Leave to File Sur-Reply to Defendant's Reply to Response to Motion for Summary Judgment. Signed by Judge Orlando L. Garcia. (rg) (Entered: 08/05/2013)
07/31/2013	<u>48</u>	ORDER DENYING <u>33</u> Motion for Reconsideration. Signed by Judge Orlando L. Garcia. (rg) (Entered: 08/05/2013)
07/31/2013	<u>50</u>	ORDER GRANTING <u>38</u> Defendant's Motion for Summary Judgment. Signed by Judge Orlando L. Garcia. (rg) (Entered: 08/05/2013)
07/31/2013	<u>51</u>	CLERK'S JUDGMENT (rg) (Entered: 08/05/2013)
08/02/2013	<u>47</u>	REPLY to Response to Motion, filed by Federal Bureau of Investigation, re <u>45</u> MOTION for Leave to File Sur Reply to Reply In Support of Defendant's Motion for Summary Judgment filed by Plaintiff James Lutcher Negley, <u>38</u> MOTION for Summary Judgment filed by Defendant Federal Bureau of Investigation (Shaw-Meadow, Robert) (Entered: 08/02/2013)